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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America,

Plaintiff,

v.

Nathaniel Pembroke,

**Case: 2:14-mj-30357****Judge: Unassigned****Filed: 7/16/2014****IN RE: SEALED MATTER (CMC)**

Defendant(s).

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**CRIMINAL COMPLAINT**

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I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about the date(s) of April 22, 2014, in the county of Oakland  
in the Eastern District of Michigan, the defendant(s) violated:

*Code Section*

18 U.S.C. Section 1951  
18 U.S.C. Section 924(c)

*Offense Description*

Conspiracy to commit and to commit the crime of interference with  
commerce by robbery; Conspiracy to use and to use and carry a  
firearm during and in relation to a crime of violence.

This criminal complaint is based on these facts:

See Attached Affidavit



Continued on the attached sheet.

  
*Complainant's signature*S/A Brian Max, FBI*Printed name and title*

Sworn to before me and signed in my presence.

Date: JUL 16 2014  
*Judge's signature*City and state: Detroit, MichiganHon. R. Steven Whalen, U.S. Magistrate Judge  
*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Brian Max, being duly sworn state the following is true and accurate to the best of my knowledge and belief:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), having been so employed since May of 2002. I am currently assigned to the FBI's Oakland County Violent Gang Task Force (OCVGTF) and have been so for the previous two years. During my career, I have been involved in numerous investigations of state and federal crimes.
2. I make this affidavit from personal knowledge based on my participation in this investigation, communications with others who have personal knowledge of the events and circumstances described herein, review of police reports, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and it therefore does not contain all details or all facts of which I am aware relating to this investigation.
3. I am currently investigating two armed robberies that occurred in Michigan on April 22, 2014. Both of the incidents were armed, take-over style, robberies of jewelry stores during regular business hours. These robberies were conducted by a group of 4-6 individuals working together. One of the suspects NATHANIEL PEMBROOK, date of birth July 16, 1972, has been identified through DNA collected from one of the crime scenes. I believe that there is probable cause to conclude that on April 22, 2014, PEMBROOK committed the crimes of conspiracy to commit the crime of interference with commerce by robbery, in violation of 18 U.S.C. §1951.
4. On April 22, 2014, at approximately 12:30 p.m. a retail jewelry store (Medawar Jewelers) located at 4518 Plainfield Avenue, Grand Rapids, Michigan, was robbed by four males. The four males entered the store during business hours with their faces covered and/or partially covered. One of the males, later identified as PEMBROOK, brandished a handgun and gave orders to employees and customers. Once inside the business the suspects split up and began smashing display cases and opening safes in an attempt to steal jewelry. One of the suspects (#2 below) also grabbed employees and physically forced them to the area of the store

where jewelry items were secured in a safe. PEMBROOK began to search the business room to room at gunpoint. An employee described the weapon that PEMBROOK had as a black Glock 9mm handgun. PEMBROOK eventually entered the employee lounge area of the business where the owners were waiting with firearms. When PEMBROOK entered the room he was shot in his right arm by one of the business owners. PEMBROOK and the three other males fled the store immediately after being shot. No merchandise was taken during the robbery and no other employees and/or suspects were injured.

5. From eyewitness accounts and video of the incident the four males were described as follows:
  - Suspect #1-Black male, over six feet tall, heavy set, wearing a grey hoodie and face covering, gloves, brandishing a handgun. (Identified through DNA as NATHANIEL PEMBROOK)
  - Suspect #2-Black male, approximately six feet tall, heavy set, with a beard, wearing dark pants and a dark Nike hoodie pulled tight around his face and wearing gloves.
  - Suspect#3-Black male, average height, average weight, wearing a blue Polo hoodie pulled tight over his face with a bandanna over his mouth area. This suspect was wearing red work gloves and carrying a green shoulder bag.
  - Suspect#4-Black male, slender build, average height, wearing blue jeans and dark colored sweat shirt. This suspect was wearing a knit cap with a bandanna covering his face. This suspect was also wearing blue and white work gloves and carrying a dark colored gym bag with a strap over his shoulder.
6. When the above suspects fled they were observed by witnesses running into a neighborhood behind the business. Kent County Sheriff's Deputies were able to recover blood from the inside the jewelry store where PEMBROOK contacted items on his flight from the store after being shot. A blood trail was also discovered that led from the jewelry store, approximately ¼ mile, into a neighborhood behind the business. In the neighborhood the blood trail abruptly stopped where it was believed the suspects entered a getaway vehicle.
7. Investigators from the Kent County Sheriff's Office obtained blood evidence from a display case and a glass door where PEMBROOK made contact on his flight from the business. The blood evidence was sent to

the Michigan State Police (MSP) lab in Grand Rapids, Michigan. The blood evidence was DNA tested and it was determined that the blood found in the two different locations was from the same person. This DNA profile was then run through the Combined DNA Index System (CODIS). The DNA specimen matched DNA previously obtained from NATHANIEL PEMBROOK, born July 16, 1972, and obtained in Pennsylvania. PEMBROOK has three previous felony conviction in the State of Pennsylvania for Aggravated Assault (1993), Robbery/Firearms (1993) and Theft By Receiving Stolen Property (1993). PEMBROOK is a resident of Philadelphia, Pennsylvania.

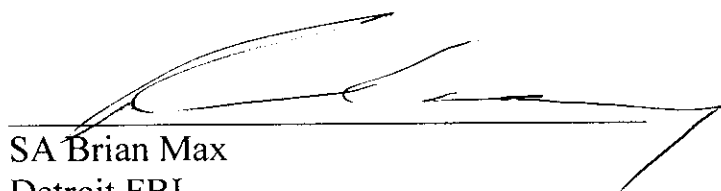
8. After the robbery in Grand Rapids investigators began reviewing videos and speaking with numerous witnesses in the area. Through this investigation it was determined that the vehicle used as the getaway car was most likely a black mini-van that was driving through the neighborhood directly behind the jewelry store during the time of the robbery. This vehicle can be observed on an exterior camera of the business driving around moments before the robbery. Witnesses also reported seeing a suspicious newer white four door sedan parked in the area of the robbery, just prior to the robbery. A witness observed two black males in the front of vehicle and a third black male come and go from the back seat of the vehicle prior to the robbery. The suspects involved in the Grand Rapids robbery were able to get away.
9. On the same date, April 22, 2014, at approximately 5:13 pm, a second retail jewelry store (Tapper's Diamonds and Fine Jewelry) located at 6337 Orchard Lake Road, West Bloomfield, Michigan, was the victim of an armed robbery. Three suspects entered the store with their faces covered or partially covered. Affiant has reviewed video from this incident and the earlier incident in Grand Rapids. Upon reviewing the incident it is obvious that the three suspects who entered the West Bloomfield store are, in fact, suspects 2, 3 and 4 from the Grand Rapids robbery. The suspects have the same build, the same exact clothes, bags and gloves in both robberies. In the West Bloomfield robbery, however, Suspect #2 possessed a handgun which appears to be the same weapon used by PEMBROOK in the earlier robbery. Witnesses in the West Bloomfield robbery described the weapon as a black semi-auto 9mm handgun.

10. One inside the business Suspect #2 brandished the firearm and ordered the employees and customers to the ground. Suspect #2 also grabbed employees and forced them to the ground while brandishing the firearm. Suspect #3 and Suspect #4 went to the Rolex display case and ordered an employee to open the case. Once the case was open the two suspects were able to steal approximately 130 Rolex watches and put them into a bag. Once the watches were obtained the three suspects left the store. The suspects were in the store for approximately 2 minutes. The value of the watches stolen was approximately \$1,400,000.
11. Video of the West Bloomfield incident was obtained from the jewelry store and surrounding businesses. The video was reviewed by investigators from the West Bloomfield Police Department and the FBI. The video shows the three suspects exiting a black Town and Country mini-van parked behind an adjacent business and walking toward the jewelry store. The three suspects covered their faces prior to entering the business. Two minutes later the three suspects are seen walking back to the mini-van and driving away. None of the three suspects exits and/or enters the mini-van from the driver's door. It appears that there is a fourth individual driving the mini-van. A more detailed review of the video in the hour before the robbery was conducted by investigators from West Bloomfield and the FBI. The video shows the black Town and Country mini-van meeting in the parking lot with a white Volkswagon Passat (sedan) prior to the robbery. Occupants of the two vehicles move from one car to the other. Suspects from both vehicles are recorded walking by the jewelry store prior to the robbery in what appears to be a casing of the store.
12. The suspects were again able to get away from the West Bloomfield robbery without being caught. A check was conducted by the FBI in Philadelphia of any recent contacts NATHANIEL PEMBROOK had with law enforcement. On April 23, 2014, a detective from the Philadelphia Police Department was called to the Presbyterian Medical Center in Philadelphia, PA. The hospital reported a gunshot wound victim who arrived at the hospital at approximately 4:00 am on April 23, 2014. The victim was NATHANIEL PEMBROOK, born July 16, 1972. PEMBROOK was interviewed by the detective. PEMBROOK said he was shot outside a "speakeasy" and took a trolley to the hospital. The detective attempted to find the speakeasy but was unable to locate it. Affiant believes that this was in fact the wound suffered by PEMBROOK

in Grand Rapids. Based on all the evidence reviewed in the case, Affiant believes that both robberies were committed by the same suspects.


13. The above-referenced commercial establishments (Medawar Jewelry and Tapper's), sell goods that have been transported in interstate commerce and therefore any robbery of those establishments would have affected interstate commerce.

14. Based on the aforementioned facts, I have probable cause to believe that on April 22, 2014, in the Eastern District of Michigan, NATHANIEL PEMBROOK conspired to commit the crime of interference with commerce by robbery, in violation of 18 U.S.C. §1951, and use and carry of a firearm during and in relation to a crime of violence, to wit, conspiracy to commit the crime of interference with commerce by robbery, in violation 18 U.S.C. §924(c). Further, I have probable cause to believe that on April 22, 2014, in the Eastern District of Michigan, NATHANIEL PEMBROOK aided and abetted the crime of interference with commerce by robbery, in violation of 18 U.S.C. §1951, and a second count of use and carry of a firearm during and in relation to a crime of violence, to wit, interference with commerce by robbery, in violation 18 U.S.C. §924(c).



SA Brian Max  
Detroit FBI  
Oakland County Violent Crime Task Force

Sworn to before me and subscribed in  
my presence this 16<sup>th</sup> day of July, 2014.



HON. R. STEVEN WHALEN  
United States Magistrate Judge  
Eastern District of Michigan